

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NORTH CAROLINA  
NORTHERN DIVISION

ELIZABETH GERARD, BEULAH )  
SASSER, and SUZANNE MCLEOD, as )  
Personal Representative of the Estate )  
of Hansell B. Malone, III )  
Plaintiffs, )  
v. )  
UNITED STATES OF AMERICA )  
Defendant )

**JUDGMENT**  
2:22-CV-22-FL

**Decision by Court.**

This action came before the Honorable Louise W. Flanagan, United States District Judge, for consideration of defendant's motion to dismiss.

**IT IS ORDERED, ADJUDGED AND DECREED** in accordance with the court's order entered January 5, 2023, and for the reasons set forth more specifically therein, defendant's motion to dismiss is GRANTED. Plaintiffs' complaint is DISMISSED for failure to lack of subject matter jurisdiction.

**This Judgment Filed and Entered on January 5, 2023, and Copies To:**

Grant Davis / James Edward Bell, III / Thomas Edward Ruzicka, Jr. / Eric Flynn / Warren D. Postman / Zina Bash / William Dowling (via CM/ECF Notice of Electronic Filing)  
Joseph A. Bain / Nathan Jisu Bu (via CM/ECF Notice of Electronic Filing)

January 5, 2023

PETER A. MOORE, JR., CLERK

/s/ Sandra K. Collins  
(By) Sandra K. Collins, Deputy Clerk